

FEB 03 2004

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FACSIMILE COVER LETTER

To: Examiner Keith D. Hendricks
Firm: PTO
Fax No. 703-872-9306
From: THOMAS J. KOWALSKI, ESQ.
Date: February 3, 2004
Re: USSN 10/040,394
OUR REF: 674509-2045.1
No. of Pages: 12
(including cover page)

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00166968

PATENT
674509-2045.1**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

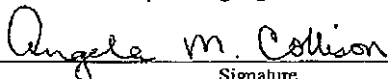
Applicants : Soe et al.
Serial No. : 10/040,394
Filed : January 9, 2002
Title : IMPROVED METHOD FOR PREPARING FLOUR
DOUGHS AND PRODUCTS MADE FROM SUCH
DOUGHS USING A GLYCEROL OXIDASE
Examiner : Keith D. Hendricks
Group Art Unit : 1761

FEB 9 2004
OFFICIAL745 Fifth Avenue, New York
New York 10151**FACSIMILE**

I hereby certify that this paper is being facsimile transmitted to the
Patent and Trademark Office on the date shown below.

Angela M. Collison, Reg. No. 51,107

Type or print name of
person signing certification



Signature

February 3, 2004

Date of Signature

**COMMUNICATION FORWARDING PREVIOUSLY FILED
REQUEST FOR CONTINUED EXAMINATION**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Further to the February 3, 2004 telephone call between Angela Collison and Examiner Hendricks, for which Examiner Hendricks is thanked for the courtesies extended therein, enclosed is a copy of the Petition Under 37 C.F.R. §1.313, Request for Continued Examination, and the Supplemental Information Disclosure Statement that were filed by hand with the Office of Petitions on November 5, 2003, as indicated by the date-stamped return receipt postcard (copy enclosed). Also enclosed are copies of the checks that accompanied the November 5, 2003 submission, and a copy of the Decision from the Office of Petitions, mailed November 6, 2003,

PATENT
674509-2045.1

granting the request to withdraw the present application from issuance in view of the Request for Continued Examination and accompanying Information Disclosure Statement.

It is believed that no fees are necessitated by entry of this paper, however the Commissioner is hereby authorized to charge any required fees, or to credit any overpayment in fees, to Deposit Account 50-0320.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

By Thomas J. Kowalski by Angela M. Collison
Thomas J. Kowalski,
Reg. No. 32,147
Angela M. Collison
Reg. No. 51,107
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Fax (212) 588-0500

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provided for continued examination of a utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number	10/040,394
Filing Date	January 9, 2002
First Named Inventor	SOB
Group Art Unit	1761
Examiner Name	K. Hendricks
Attorney Docket Number	674509-2045.1

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under C.F.R. § 1.114.

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____.
(Any unentered amendment(s) referred to above will be entered)
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.
iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. Miscellaneous

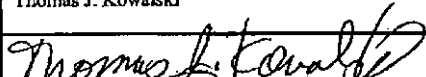
- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103© for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(l) required)
- b. ☐ Other _____

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ Checks in the amount of \$750.00 is enclosed for the following:
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. § 1.17)
- iii. ☐ Other _____
- b. ☒ The Director is authorized to charge any additional fees, or credit any overpayments, to Deposit Account No. 50-0320.
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Thomas J. Kowalski	Registration No. (Attorney/Agent)	32,147
Signature		Date November 4, 2003	

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being hand delivered to the Office of Petitions, United States Patent and Trademark Office on the date below.

Name (Print/Type)			
Signature		Date: November 5, 2003	

00156711

FROMMER LAWRENCE & HAUG LLP

745 FIFTH AVENUE

NEW YORK, NY 10151

028954

PAY TO THE
ORDER OF

COMMISSIONER OF PATENTS AND TRADEMARKS

\$ 130.00

THE SUM OF ONE HUNDRED AND THIRTY DOLLARS

DOLLARS

CITI BANK N.A.

Private Banking Division

130 EAST 43RD STREET, 20TH FL

NEW YORK, NY 10017

FROMMER LAWRENCE & HAUG LLP

CHARGE ANY ADDITIONAL FEES TO DEPOSIT ACCOUNT NO. 000320

Thomas J. Frommer

DETACH AND RETAIN THIS STATEMENT

RE-ATTACHED CHECKS IN PAYMENT OF FEES DESCRIBED BELOW
IF NOT CORRECT PLEASE NOTIFY US IMMEDIATELY TO PRESENT DESIRED

APPLICANT

SERIAL NO.

FILE

FILE # DOCKET NO.

☐ APPEAL BRIEF☐ APPEAL FEE☐ CERTIFICATE OF CORRECTION☐ DISCLAIMER☐ EXTENSION OF TIME☐ FEE FOR ADDED CLAIMS☐ FILING FEE☐ ISSUE FEE☐ MAINTENANCE FEE☐ MISSING PARTS☐ NOTICE OF OPPOSITION☐ PLEASE CHARGE ANY ADDITIONAL FEES OR CREDIT OVER PAYMENT TO DEPOSIT ACCOUNT NO. 000320☐ PETITION FEE☐ PETITION FOR CANCELLATION☐ PETITION TO REVIVE☐ RECORDING FEE☐ REQUEST FOR ORAL HEARING☐ SEC. 8.24 DECLARATION FEE☐ STATEMENT OF USE☐ TM RENEWAL

CHARGE TO

NAME OF CLIENT OR ACCOUNT	FILE NO.	ATTORNEY	AMOUNT
D. K. NG	674509 2045.1	T. KOWLSKI	\$130.00

ACCOUNTING COPY

Serial No. 10/040,324 File No. 674509-2045.1 By TIK/SL
 Title in the Matter of the Application of IMPROVED METHOD FOR PREPARATION
 Applicant(s)/Inventor(s) SOE ET AL
 The following due _____ in the U.S. Patent Office, was received in the Patent Office

<input type="checkbox"/> Affidavit	<input type="checkbox"/> Declaration	<input type="checkbox"/> Express Mail Mailing Label #
<input type="checkbox"/> Amendment		<input type="checkbox"/> (separate sheet)
<input type="checkbox"/> Preliminary Amendment		<input checked="" type="checkbox"/> Check No. <u>2854, 2895</u> for \$ <u>130.00</u> \$150.00
<input type="checkbox"/> Amendment After Final Rejection		<input type="checkbox"/> Deposit Account Order Form
<input type="checkbox"/> Request for Extension of Time		<input checked="" type="checkbox"/> SUPPLEMENTAL
<input type="checkbox"/> Provisional Patent Application		<input checked="" type="checkbox"/> Information Disclosure Statement
<input type="checkbox"/> Application for Patent, including		<input checked="" type="checkbox"/> PTO Form 1449 (WITH REFERENCE)
<u>Pages Specification</u>	<u>Claims</u>	<input type="checkbox"/> Issue Fee/Publication Fee Transmittal
<input type="checkbox"/> Declaration	<input type="checkbox"/> Abstract	<input type="checkbox"/> Appeal Brief (triplicate)
<input type="checkbox"/> Request for Filing Continuation or Divisional	<input type="checkbox"/> Power	<input type="checkbox"/> Application for TM Registration
<input type="checkbox"/> Application		Including _____ Specimens
<input type="checkbox"/> PCT Request		<input type="checkbox"/> Status Request
<input type="checkbox"/> Transmittal Letter		<input type="checkbox"/> Notice of Appeal (triplicate)
<input type="checkbox"/> Request for Continued Exam (RCE)		<input checked="" type="checkbox"/> Position <u>UNDER 37 CFR</u> Responses
<input type="checkbox"/> Assignment	<input type="checkbox"/> Recordation Cover Sheet	<input type="checkbox"/> Priority Document
<input type="checkbox"/> Amendment Fee Transmittal		<input type="checkbox"/> Statement of Use
<input type="checkbox"/> Claim of Priority		<input type="checkbox"/> Response to Examiner's Statement
<input type="checkbox"/> Request for Approval of Drawings		<input type="checkbox"/> Search Report
<input type="checkbox"/> Diskette with Sequence Listing		<input type="checkbox"/> Response to Notice to File Missing Parts

☒ RCE TRANSMITTAL

BY HAND: NOVEMBER 9, 2003